

REMARKS

In the action of March 18, 2008, the examiner rejected claims 1-4, 8 and 12-14 under 35 U.S.C. §102 as anticipated by Smith; rejected claims 1-3 under 35 U.S.C. §102 as anticipated by Kraals; and indicated that claims 9-11, 15 and 18-20 contain allowable subject matter. Claims 5-7, 16 and 17 were allowed.

Note that claim 1 has been amended to include the limitation that the pressing member directly contacts the fluid-filled portion of the cartridge member continuously across substantially the entire cutout portion. Further note that claim 1 has been amended to include the limitation that the pressing member includes mounting elements which extend from opposing sides of the pressing member sufficient to permit moving action on the mounting means to move the pressing member over the fluid-filled portion of the cartridge. The above limitations distinguish claim 1 over Smith. Smith discloses a structure in which roller 27 contacts a separate element 9, which in turn presses on the fluid reservoir. There is no direct contact between roller 27 and the fluid-filled reservoir. Further, the roller 27 of Smith is divided into two portions, with a break (groove) 28 between them. The roller thus does not extend continuously across the cutout portion. Strip 9 is thus required to produce a complete dispensing of the fluid in the cartridge. Still further, elements 30 and 31 are balls which are designed to roll along tracks in the casing and are not configured to permit action on them to move roller 27. Roller 27 is moved by a central tube 24.

Claim 12 is also patentable over Smith, because there is no teaching in Smith of a power toothbrush arrangement involving a driving system with a power supply driving a driven system which includes a brushhead. Smith is a manual toothbrush without any driving system or power supply. Claim 12 also now includes the limitation similar to that of claim 1, concerning direct contact between the pressing element and the fluid-filled portion of the cartridge. Accordingly, claims 1 and 12 and the claims dependent thereon are patentable over Smith.

Claim 1 is also patentable over the reference to Kraals, because of the mounting elements extending sufficiently from opposing ends of the nesting portion of the pressing member that the pressing member is movable by action on the mounting elements. The

“mounting elements” 42, 44 referred to by the examiner in Kraals are edges which are turned in to engage edges 12 and 14 of carrier plate 10. Action on the pressing element 38 (compressor) is accomplished on tab 46, central of the compressor. There is no structural capability of moving the element by action on edges 42, 44. The claimed arrangement permits a smooth dispensing of fluid without creasing the packet. This results in reliable and complete dispensing of the fluid from the packet, important and advantageous commercial considerations. Claim 1 and the claims dependent thereon are thus patentable over Kraals.

Allowance of the application is now respectfully requested.

Respectfully submitted,

JENSEN & PUNTIGAM, P.S.

By Clark A. Puntigam
Clark A. Puntigam #25,763
Attorney for Applicant

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